

## REMARKS

Claims 1-4 remain in the application.

Claim 4 has been rejected under 35 C§ 1 USC 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art what the invention was. Applicant has amended Claim 4 as shown in the attached Clean Version of Replacement Claims 1 and 4 to obviate this rejection. Claim 4 is recited to show that 100 parts of the composition are diluted in 300 to 2000 parts by weight of water.

To be in compliance with 35 C§ 1 USC 112 second paragraph, an amendment has been made in Claim 4 to delete a phrase relating to “other ingredients”. The deletion of the phrase in the claim provides clarification.

Claims 1-4 have been rejected under 35 USC § 103 (a) as obvious over JP 63069897, (herein after “The JP reference”) as describing a detergent composition comprising 5 to 95% of one or more amines of mono-di-triethanol amines, 0.2-5.0% of one or more high boiling point solvents comprising diethylene glycol monobutyl ether and benzyl alcohol used for removing heavy dirt attached to hard surfaces.

The present invention relates to a composition useful for stripping polymer coated floors at room temperature. The essential components of the composition comprises:

- A) 5-75% of a water-soluble organic solvent of the formula  $C_4H_9-O-(CH_2CH_2O)_nH$
- B) 15-40% benzyl alcohol
- C) 10-20% Amine

The JP reference is directed to an unrelated art and describes certain detergent compositions used to remove contaminants from metals during processing. The JP reference discloses a variety of materials from which the compositions might be made. Four specific

examples are provided to illustrate the invention. None of the examples shown teach or suggest the present compositions as a matter of law. The Examiner relies solely on the argument that since an example of each of the claimed components is included among a large number of components, it would have been obvious to a skilled artisan in the unrelated field of floor maintenance to produce the invention. The Examiner's rejection under 35 USC § 103 is respectfully traversed.

Merely listing a large number of ingredients, among which is included the claimed ingredients, is not sufficient to anticipate or render an invention comprising a combination of some of the ingredients obvious under 35 USC § 103. "Obvious to try" is not the standard of 35 USC § 103 as a matter of law. If it were, all combinations of known components would be unpatentable. The reference's inclusion of the claimed ingredients, as well as, ingredients not claimed, clearly evidences a lack of recognition of the present invention.

Specific teachings of the reference that do exist to show what combinations are contemplated teach nothing or teach away with respect to the present invention. The present invention requires a combination of three essential ingredients. The JP reference simply does not disclose that combination. The only examples where the use of both a mono butyl ether and benzyl alcohol are shown are in Invention Example #4 of the JP Reference and in Comparative Example #7. Unlike the present invention, Example #7 contains no amine and is alleged to be ineffective. It also appears to be used in conjunction with methylene chloride, an aggressive solvent. Example #4 contains amounts of amine and benzyl alcohol outside of the range of claim 1 of the present invention and yet is deemed satisfactory for the purpose of cleaning metal parts as described in the JP reference. There is no teaching or suggestion of the need to increase the amounts of amine or benzyl alcohol beyond those of Example #4 when those particular

ingredients are selected. Thus, there appears to be no basis for the Examiner's conclusion that the invention would have been obvious. The only perceived basis appears to be hindsight borne of applicant's own disclosure. That is not an acceptable basis for rejection under 35 USC § 103.

In view of the foregoing, applicant respectfully submits that the claims are now in compliance with 35 USC § 112 and § 103. Therefore, an early Notice of Allowance of the above-identified application is respectfully requested.

Respectfully submitted,



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DOCKET: CU 1758

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Mitsuo SADO

Serial No.: 09/117,795

Filed: November 10, 1998

For: RELEASANT FOR AQUEOUS  
POLYMER-TYPE FLOOR POLISH

Group Art Unit: 1774

Examiner: D. Garrett

CLEAN VERSION OF AMENDED CLAIMS 1 AND 4

Please see the clean version of Amended Claims 1 and 4 below:

Claim 1 (Amended) A releasing agent composition for use in removing an aqueous polymer floor polish, which comprises as essential components

(A) 5 to 75% by weight of a water-soluble organic solvent represented by the formula



where n is an integer of 2 or 3,

B) 15 to 40% by weight of benzyl alcohol, and

C) 10 to 20% by weight of an amine compound.

Claim 4 (Amended) A releasing agent composition according to Claim 1, wherein

parts of the composition are diluted in 300 to 2000 parts by weight of water.

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For: RELEASANT FOR AQUEOUS  
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**VERSION WITH MARKUPS TO SHOW CHANGES MADE  
TO AMENDED CLAIMS 1 AND 4**

Please see the marked version of the Amended Claims 1 and 4 below:

Claim 1 (Amended) A releasing agent composition for use in removing an aqueous polymer floor polish, which comprises as essential components

(A) 5 to 75% by weight of a water-soluble organic solvent represented by the formula



where n is an integer of 2 or 3,

B) 15 to 40% by weight of benzyl alcohol, and

C) 10 to 20% by weight of an amine compound.

Claim 4 (Amended) A releasing agent composition according to Claim 1, wherein 100 parts of the composition are diluted in [includes from] 300 to 2000 parts by weight of water [per 100 parts of the other ingredients combined].

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